

MINUTES
EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, September 8, 2015

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Kincaid called the meeting to order. The following members were present: Council Members Catherine Emmanuelle, Kerry Kincaid, David Klinkhammer, Eric Larsen, Monica Lewis, Kathy Mitchell, David Strobel, Tim Tewalt, Bob Von Haden, Andrew Werthmann, and Michael Xiong.

BOW HUNTING

Because the Monday, September 7 City Council meeting was canceled due to the Labor Day holiday, the Council held a public discussion period on bow hunting at the beginning of the Tuesday Council session. Following the question and answer and public comment time, the Council began the legislative portion of their meeting.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, September 8, 2015:

- Adopting the Consent Agenda.
- Approving Minutes of Regular Meeting of August 25, 2015.
- Granting new bartender licenses.
- Granting the renewal of bartender licenses for the 2015-2017 licensing period.
- Granting a Temporary Class B Fermented Malt Beverage license to Chippewa Valley Roller Girls, LTD, Patricia Cleary, president, at 3456 Craig Road, for Chippewa Valley Roller Girls – Home Bout for the dates of October 24, November 21, and December 5, 2015.
- Granting the renewal of the six-month Class B Fermented Malt Beverage license of Eau Claire Curling, Inc., d/b/a Eau Claire Curling Club, 5530 Fairview Drive, Jeffery Thomas, agent.
- Granting a Class B Fermented Malt Beverage license to King Buffet, Inc., d/b/a King Buffet, 1431 S. Hastings Way, Shao Ming Liu, agent.
- Granting a temporary expansion of the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of Hobbsy LTD, d/b/a Hobbsy & Me, 3620 Locust Lane, to include a fenced-in area for a one-day Frogtober Fest concert, October 3, 2015.
- Granting a temporary expansion of the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of Eau Claire Fire House, d/b/a The Fire House, 202 Gibson Street, to include a fenced-in area for a Wisctoberfest event, on September 19, 2015.
- Authorizing the Eau Claire Memorial High School to conduct the Memorial Homecoming Parade on Friday, September 25, 2015 along city streets to Carson Park.

- Authorizing the Eau Claire Sports Commission to conduct the Biggest Loser Run/Walk on Sunday, October 18, 2015 at Carson Park and along city trails and sidewalks.
- Approving Procurement No. 2015-41, RFP Comprehensive Stormwater Management Plan.
- Approving Procurement No. 2015-49, Rehabilitation of Sewage Manholes.

Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Tewalt “to adopt the consent resolution”. Said motion passed by unanimous vote.

LICENSING

The City Council considered a resolution granting a temporary expansion of the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of Hobbsy LTD, d/b/a Hobbsy & Me, 3620 Locust Lane, to include a fenced-in area for a one-day Tailgate Grilling Contest, October 10, 2015. Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Emmanuelle “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution granting an expansion of the Combination Class B Intoxicating Liquor & Fermented Malt Beverage licensed premise of Elbow Room, LLC, d/b/a The Elbow Room, 679 Wisconsin Street, to include a 700-square-foot outdoor area with privacy fence. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Mitchell “to adopt the resolution”. Said motion passed by the following vote: Aye: Council Members Emmanuelle, Kincaid, Klinkhammer, Larsen, Lewis, Mitchell, Strobel, Tewalt, Von Haden, and Xiong. Nay: Council Member Werthmann.

The Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage to Geno’s Slice N Ice Pizza Shack, LLC, d/b/a Geno’s Pizza, 5110 Fairview Drive, Kevin Burzynski, agent. Thereupon a motion was offered by Council Member Xiong and seconded by Council Member Strobel “to adopt the resolution”. Said motion passed by unanimous vote.

SPECIAL EVENTS

The City Council considered a resolution authorizing the Aging and Disability Resource Center to conduct the Celebrating Progress event on Sunday, September 13, 2015 at Owen Park. Thereupon a motion was offered by Council Member Lewis and seconded by Council Member Klinkhammer “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing Family Video Eau Claire to conduct the Family Video Movie Marathon 5K on Sunday, September 20, 2015 in Carson Park and along city trails. Thereupon a motion was offered by Council Member Tewalt and seconded by Council Member Larsen “to adopt the resolution”. Said motion passed by unanimous vote.

The Council considered a resolution authorizing the City of Eau Claire Parks, Recreation and Forestry Department to conduct the Eau Claire Glow Ride on Saturday, October 3, 2015 at the Hobbs Municipal Ice Center and along city trails. Thereupon a motion was offered by Council

Member Emmanuelle and seconded by Council Member Von Haden “to adopt the resolution”. Said motion passed by unanimous vote.

EXCESS LAND

The Council considered a resolution declaring a portion of 801 West Grand Avenue (northwest corner of Lake Street & 7th Avenue) to be excess land and authorizing the sale to Hoss Bros., LLC. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Mitchell “to adopt the resolution”. Said motion passed by unanimous vote.

NORTH BARSTOW PARKING RAMP

The Council considered a resolution approving the construction of, appropriating the funding for, and amending the contract for Procurement No. 2015-10, North Barstow Parking Structure, to add a fourth level. The Council had an extended discussion on the issue. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Emmanuelle “to adopt the resolution”. Said motion passed by the following vote: Aye: Council Members Emmanuelle, Kincaid, Klinkhammer, Strobel, Tewalt, Von Haden, Werthmann and Xiong. Nay: Council Members Larsen, Lewis and Mitchell.

BOW HUNTING

The Council considered an ordinance amending Section 6.25.010 of the City Code of Ordinances entitled “Hunting” and Section 9.32.030 of the City Code of Ordinances, entitled “Discharging Firearms” regarding bow hunting within the City limits. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Lewis “to adopt the ordinance”. Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Tewalt “to amend the ordinance to change Paragraph 9.32.030 B 3 a i to read: It shall be unlawful for a person to discharge a bow and arrow or crossbow within a distance of ~~fifty~~ (50) one-hundred (100) yards from a building located on another person’s land.”. Said motion failed on the following vote: Aye: Council Members Kincaid, Tewalt, Werthmann and Xiong. Nay: Council Member Emmanuelle, Klinkhammer, Larsen, Lewis, Mitchell, Strobel and Von Haden. Council discussion on the proposed ordinance continued. Council then voted on the original motion to adopt the ordinance. Said ordinance was adopted by the following vote: Aye: Council Members Emmanuelle, Kincaid, Klinkhammer, Larsen, Lewis, Mitchell, Strobel, Tewalt, Von Haden and Xiong. Nay: Council Member Werthmann.

COMPREHENSIVE PLAN

The City Council had first reading on an ordinance adopting the update of the Eau Claire Comprehensive Plan 2015.

CLOSED SESSION

Council President Kincaid announced that upon a motion duly made and carried, the City Council may go into closed session to confer with legal counsel with respect to litigation in which it is or

likely to become involved regarding two separate claims seeking civil damages arising out of an incident on May 2, 2014 (auto accident) and September 20, 2013 (contract dispute) which is permitted in closed session pursuant to §19.85 (1) (g), Wisconsin Statutes. Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Tewalt “that the Council convene in closed session”. Said motion passed by unanimous vote.

After a brief recess, the Council convened into closed session and heard a report from staff on the two claims.

Thereupon a motion was offered by Council Member Larsen and seconded by Council Member Emmanuelle “to return to open session”. Said motion passed by unanimous vote.

ADJOURNMENT

A motion was offered by Council Member Von Haden and seconded by Council Member Werthmann “that this meeting does now adjourn.” Said motion passed by without objection.

Adjournment: September 8, 2015

Time: 7:10 p.m.

ATTEST:

/s/ Kerry J. S. Kincaid, President

/s/ Donna A. Austad, City Clerk